

27c

Notice of Allowability

Application No.

10/731,501

Examiner

Jerry Martin Blevins

Applicant(s)

KOSHIBA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/02/05.
2. ☒ The allowed claim(s) is/are 1-33.
3. ☒ The drawings filed on 10 December 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

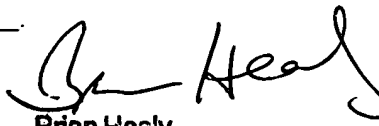
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Brian Healy
Primary Examiner

DETAILED ACTION

Allowable Subject Matter

Claims 1-33 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding independent Claims 1 and 33, the best representation of prior art, US Patent to Hasagawa, et al, number 6636677, teaches an optical fiber comprising a core and a plurality of three or more concentric cladding layers which include a main silica based medium and a sub region of air voids. However, Hasagawa, either alone or in combination with the other prior art of record, does not disclose nor render obvious the teaching that the concentric cladding layers have indices of refraction that decrease from layer to layer moving radially outward away from the core.

Regarding dependent Claims 2-13, 20-26, 31, and 32, Hasagawa does not teach the limitations of the base Claim 1, nor does Hasagawa, either alone or in combination with the other prior art of record, teach all the further limitations as set forth in the above dependent claims.

Regarding independent Claims 14-19, Hasagawa teaches an optical fiber comprising a core region and a cladding region. However, Hasagawa, either alone or in combination with the other prior art of record, does not disclose or render obvious the various dispersion limitations set forth in the above independent claims.

Regarding dependent Claims 27-30, Hasagawa does not teach all the limitations set forth in the base claims, nor does Hasagawa, either alone or in combination with the

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other prior art of record, teach the various transmission loss limitations set forth in the above dependent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent to Klienerman, number 5,363,463,

US Patent to Takeuchi, et al, number 5,841,926,

US Patent to Danziger, et al, number 6,434,311,

US Patent to Hasagawa, et al number 6,636,677,

US Pre Grant Publication to Hasagawa, et al, number 2001/0055455, and

US Pre Grant Publication to Libori, et al, number 2004/0071423.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerry Martin Blevins whose telephone number is 571-272-8581. The examiner can normally be reached on Monday through Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on 571-272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMB


Brian Healy
Primary Examiner